GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA

UNSTARRED QUESTION NO:1939
ANSWERED ON:14.03.2017
Diversion of Forest Land
Lakhanpal Shri Raghav

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether a large area of forest land has been diverted for mining purposes resulting in ecological imbalance in the country;
(b) if so, the details thereof during the last two years and the current year, State/UT-wise including Uttar Pradesh; and
(c) the steps taken by the Government to stop diversion of forest land for ining purposes in the country?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI ANIL MADHAV DAVE)

(a) &(b) No, Sir. The forest land diverted has not caused ecological imbalance. Since the enactment of the Forest (Conservation) Act, 1980, the forest land is diverted for non-forest use including mining purposes. The forest land diverted during the last two years and the current year in the State/UTs including Uttar Pradesh is given in Annexure −A
(c) The Government has taken the following steps to curb diversion of forest land for mining purposes and restore ecological balance in the forest areas of the country:

1. Use of forest land for non-forest purposes, including mining purposes requires prior approval of Central Government under the Forest (Conservation) Act, 1980. To facilitate scrutiny of the proposals seeking prior permission of the Central Government under the Forest (Conservation) Act, 1980 in an effective, efficient and transparent manner an elaborate institutional mechanism, both at the Central as well as State/ Union Territory Governments level has been set up.
2. The Central Government having due regard to all or any of the following matters accords approval under the Forest (Conservation) Act, 1980 for mining or reject the same:

i. Whether the forest land proposed to be used for non-forest purpose forms part of a nature reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or of an area lying in severely eroded catchment;
ii. Whether the State Government or the other authority has certified that it has considered all other alternatives and that no other alternatives in the circumstances are feasible and that the required area is the minimum needed for the purpose; and
iii. Whether the State Government or the other authority undertakes to provide at its cost for the acquisition of land of an equivalent non forest area and afforestation thereof.

3. Central Government while according approval under the Forest (Conservation) Act, 1980 stipulates appropriate mitigative measures, such as, creation and maintenance of compensatory afforestation, realization of Net Present Value of the diverted forest land, implementation of wildlife conservation plan (wherever required), phased reclamation of mined out area, demarcation of boundary of mining lease etc. A copy of the approval accorded by the Central Government is uploaded on website of the Ministry to place it in public domain.

4. In case a proposal involves diversion of forest land located within a protected area notified in accordance with the provisions of the Wildlife (Protection) Act, 1972, approval of the Standing Committee of the National Board for Wildlife (NBWL) and Hon'ble Supreme Court is required to be obtained by the concerned user agency before grant of approval under the Forest (Conservation) Act, 1980. Similarly, in case the forestland proposed for diversion is located within the duly notified eco-sensitive zone around boundary of a protected area, EIA of the project needs to be placed before the Standing Committee of NBWL. In case Eco-sensitive zone has not been notified, 10 km distance from the boundary of such protected area shall be treated as eco-sensitive zone. The Standing Committee of NBWL stipulates additional safeguard to minimize impacts of such projects on wildlife.

5. Adequate safeguards are already in place to ensure that approvals under the Forest (Conservation) Act, 1980 for diversion of forest land for mining are accorded only after ascertaining that the area of forest land to be diverted is bare minimum and its diversion for non-forest purpose/Mining is unavoidable.

Further in addition to the above, the regular monitoring of the forest areas, after approval by the Central Government under the Forest (Conservation) Act, 1980 for carrying out mining activities, is conducted by the State Governments and concerned Regional Office of the Ministry to ensure that no violations occur and conditions mandated in the approval are complied with. Besides this, user agencies are also required to submit the annual self-compliance of conditions stipulated in the approvals accorded by the Central Government. The compensatory afforestation works are also monitored through regular inspections, quarterly progress reports, third party monitoring and e-green watch programme launched under the supervision of the Forest Survey of India, Dehradun.

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